IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 17TH SEPTEMBER 2007 / 26TH BHADRA 1929

Bail Appl..No. 5572 of 2007()

CMP.3334/2007 of J.M.F.C.-II, CHENGANNUR
CR NO. 146/07 OF CHENGANNUR EXCISE RANGE.

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PETITIONER

RETAKARAN,S/O. KUNJUPILLA, AGED 45,
THOPPILKANDATHIL VEEDU,NANNADU MURI,
THIRUVANVANDOOR VILLAGE, CHENGANNUR TALUK.

BY ADV. SRI.AJITH MURALI

RESPONDENTS:

STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY P.P. SRI. S.U. NAZAR.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 17/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. NO. 5572 of 2007

Dated this the 17th day of September, 2007

ORDER

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. He was allegedly found to be in possession of 400 ml. of arrack. He was arrested and continues in custody from 1/9/07. The petitioner has one other case also registered against him under the Kerala Abkari Act, submits the learned Public Prosecutor.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the Investigator is granted reasonable further time to complete the investigation and appropriate safeguards are insisted in view of the antecedents of the petitioner and I am satisfied that the petitioner can now be enlarged on bail subject to appropriate terms and conditions.

3. **In the result:**

(a) This application is allowed. The petitioner shall be

released on bail on the following terms and conditions:

(i) The petitioner shall not be released from custody on the strength of this order prior to 24/9/07. The Investigator shall, in the meantime, make every endeavour to complete the investigation.

(ii) The petitioner shall execute a bond for Rs.50,000/- with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(iii) The petitioner shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of two months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT, JUDGE)

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